

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF GEORGIA
VALDOSTA DIVISION

TIMMY TERRELL HARRIS,	:	
	:	
Plaintiff	:	
	:	
VS.	:	
	:	
Lt. CREWS and Sgt. SWAIN,	:	NO. 7:06-CV-117 (HL)
	:	
Defendants	:	

TIMMY TERRELL HARRIS,	:	
	:	
Plaintiff	:	
	:	
VS.	:	
	:	
Investigator ROBERT RENFROE,	:	NO. 7:06-CV-122 (HL)
	:	
Defendant	:	

Plaintiff **TIMMY TERRELL HARRIS**, a pretrial detainee at the Lowndes County Jail in Valdosta, Georgia, brings this 42 U.S.C. § 1983 action against defendant Robert Renfroe, an investigator with the Valdosta Police Department. Plaintiff alleges that on or about September 12, 2006, Lt. Crews and Sgt. Swain, employees at the Lowndes County Jail, placed plaintiff in the same lockdown unit with an inmate who suffers from Tuberculosis. According to plaintiff, Renfroe “acted in concert with” and/or “directed” Crews and Swain to intentionally expose plaintiff to Tuberculosis.

This is plaintiff’s second action before this Court regarding such wrongful exposure claim. *See Harris v. Crews*, Civil Action Number 7:06-cv-117 (HL) (filed November 24, 2006) (“*Harris I*”). The other action, against Crews and Swain, is currently pending before this Court.

Plaintiff requests that the Court consolidate this action with *Harris I*.¹ Rule 42(a) of the Federal Rules of Civil Procedure authorizes the Court to consolidate for joint hearing or trial any or all matters at issue "[w]hen actions involving a common question of law or fact are pending before the court." Fed.R.Civ.P. 42(a). Because the allegations contained in plaintiff's complaints are clearly related, the Court finds that there is no need for the complaints to proceed independently. Accordingly, the Court hereby **DIRECTS** that the instant case, 7:06-cv-122 (HL), be **CONSOLIDATED** into *Harris I* and be **ADMINISTRATIVELY CLOSED**

It is further **ORDERED** that Robert Renfroe be added as a defendant in *Harris I* and that he be served with a copy of the complaint and other pertinent documents herein.

SO ORDERED, this 8th day of January, 2007.

s/ **Hugh Lawson**
HUGH LAWSON
UNITED STATES DISTRICT JUDGE

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¹ It is unclear why plaintiff filed a separate lawsuit seeking consolidation when he simply could have filed a motion to amend his complaint in *Harris I* to add Renfroe as a defendant.